

AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE

Index # 07CIV5801

Purchased/Filed: June 19, 2007

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT

Trustees of the District Council 9 Painting Industry Insurance and Annuity Funds

Plaintiff

against

EMB Contracting Corp.

Defendant

STATE OF NEW YORK
COUNTY OF ALBANY

SS.:

Jessica Miller, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on June 26, 2007, at 2:00 pm, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed Summons in a Civil Action, Rule 7.1 and Complaint

on

EMB Contracting Corp.

, the

Defendant in this action, by delivering to and leaving with Donna Christie

AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 2 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40 dollars; That said service was made pursuant to Section 306 Business Corporation Law .

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 38 Approx. Wt: 145 Approx. Ht: 5'5"

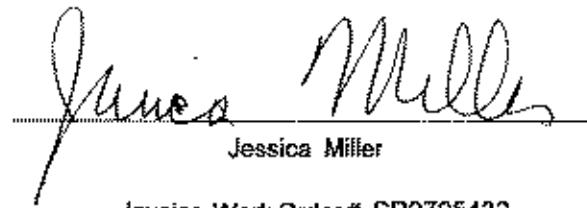
Color of skin: White Hair color: Blonde Sex: F Other:

Sworn to before me on this

28th day of June, 2007



DONNA M. TIDINGS
NOTARY PUBLIC, State of New York
No. 01T14898570, Qualified in Albany County
Commission Expires June 18, 2007



Jessica Miller
Invoice Work Order # SP0705432